

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

2019 DEC -3 PM 2:57

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)multi family two story structure, constructed of brick, with
the numbers 3553 Rand Court Apartment A, Columbus,
OH, 43227

Case No.

2:19-mj-933-KAJ

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See attachment A

located in the Southern District of Ohio there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 922 (a)(6)
18 U.S.C. § 371

Offense Description
-Non-Licensee providing false information when buying firearms from an FFL
-Conspiracy to commit any criminal offense against the United States

The application is based on these facts:

See Affidavit in Support of the Application, incorporated herein by reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date:

12/3/2019

City and state: Columbus, OH

Takara Mays
Applicant's signature

Takara Mays, Special Agent ATU

Printed name and title

Elizabeth Preston Deavers
Signature

Elizabeth Preston Deavers, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

Description of the TARGET PREMISES: 3553 Rand Court, Apartment A, Columbus, OH

- a. A red brick building,
- b. Multi family unit, consisting of 4 connected,
- c. Two story structured units,
- d. With the numbers 3553 marked on the brick between apartments C and D
- e. With the letter "A" above the TARGET PREMISES,
- f. With a white door on the east end of the building ,
- g. Entry doors facing north and south,
- h. With a workout bench outside of the front living room window of the location.

ATTACHMENT B

Based upon the above information, your affiant has probable cause to believe that now contained within 3553 Rand Court, Apartment A, Columbus, OH 43227 within the Southern District of Ohio, are items as described below in attachment A, which constitute evidence of crimes of Title 18, United States Code, Section 922(a)(6), Making a false written statement related to the acquisition of a firearm, and Title 18, United States Code, Section 371, Conspiracy, to include, but are not limited to:

- (a) Ammunition and firearms such as pistols, revolvers, or those items similar in type to the recovered firearms and or records of firearms purchased on or before March 2, 2019 through November 20, 2019, as defined by Title 18, United States Code, Section 921;
- (b) Any and all documents, records, boxes or indicia related to the purchase, sale, transfer or transportation of firearms and/or ammunition;
- (c) Log books, records, payment receipts, notes, and/or computer lists, ledgers, sales tags and other papers relating to the purchasing, ordering, processing, storage, and distribution of firearms including all records of income and expenses;
- (d) Electronic equipment, such as pagers, telephone answering machines, telephone caller identification boxes, video and audiocassette tapes, fax machines, electronic media (computers, floppy disk, disks etc), and any stored electronic data and/or communications contained therein;
- (e) Cellular telephone(s) and/or portable cellular telephone(s) and any stored electronic data and/or communications contained therein;
- (f) Indicia of occupancy, residency, rental and/or ownership of the premises described above, or vehicles located thereon, including but not limited to utility and telephone bills, cancelled envelopes, keys, deeds, purchase lease agreements, land contracts, titles and vehicle registrations;
- (g) The opening, search and removal, if necessary, of any safe or locked receptacle or compartment, as some or all of the property heretofore may be maintained and

- (h) Any other items which constitute evidence of crimes of Title 18, United States Code, Section 922(a)(6), Making a false written statement related to the acquisition of a firearm, and Title 18, United States Code, Section 371, Conspiracy.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

IN THE MATTER OF THE SEARCH OF
THE APPLICATION OF THE UNITED
STATES OF AMERICA FOR SEARCH
AND SEIZURE WARRANTS

Case No. 2:19-mj-933-KAJ

701 DEC -3 PM 2:57

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Takara Mayo, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been since October 2018. As part of my training with the ATF, I graduated from the Federal Law Enforcement Training Center Criminal Investigator School in Glynco, Georgia. I am also a graduate of the ATF National Academy's Special Agent Basic Training. During my time as a law enforcement officer, I have participated in numerous investigations that have resulted in the execution of state and federal search warrants and arrest warrants; the seizure of firearms, narcotics, and related contraband.

2. Based upon my experience, I have become familiar with the manner in which firearms intended for criminal use are transported, stored, and resold, similar to the transportation, storage and distribution of illegal narcotics. I am also familiar with the methods of payment for such unlawful transfer of firearms, distribution and manner in which firearms traffickers communicate with each other.

3. I know that persons involved in crimes commonly carry and maintain cellular telephones for communication purposes, and commonly use their cellular telephones as a method

of communication prior to, during, and after the commission of crimes. These communications include verbal as well as written communications via text messaging and/or social media platforms.

4. I further know that often times when firearms are sold, they are sold in gun boxes with gun locks. These gun boxes most often have identifying characteristics of the firearms that were purchased, including the make, model and serial number of the specific firearm that was originally sold with the gun box. Individuals engaged in the sale of firearms for criminal uses often maintain gun boxes and gun locks in their place of residency when they transport and/or resale firearms, as these are not items that they include in the sales. Your affiant also knows that individuals engaged in criminal activity maintain at their residences ledgers, receipts, and other indicia of firearms that they have purchased and/or sold as a form of record keeping.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code, Section 922 (a)(6), that is Non-Licensee providing false or fictitious information when buying firearms from an FFL and/or Title 18, United States Code, Section 371, that is two or more persons conspiring either to commit any offense against the United States, have been committed by Lisa JORDAN (*herein after* "JORDAN"), Richard HARRIS (*herein after* "HARRIS"), and others unknown at this time. There is also probable cause to search the TARGET PREMISES described in

Attachment A for evidence, instrumentalities, contraband, and/or fruits, of the crime, including items containing communications with individuals that would have purchased firearms or help aid in the trafficking of firearms.

PURPOSE OF THE AFFIDAVIT

7. I submit this affidavit in support of an application for a warrant to search the property/residence located at 3553 Rand Court, Apartment A, Columbus, OH 43227, (*herein after "TARGET PREMISES".*)

8. I submit pursuant to the facts set forth in this Affidavit, that there is probable cause to believe that JORDAN, HARRIS and others unknown are engaged in firearm trafficking related offenses including knowingly making any false or fictitious oral or written statement to a firearms dealer with respect to any fact material to the lawfulness of the acquisition or disposition of firearms and ammunition, in violation of Title 18, United States Code, Section 922(a)(6), and that the lawful execution of the search warrant sought herein will lead to additional evidence that JORDAN, HARRIS and other individuals unknown are engaged in such crime(s). The execution of a search warrant at the TARGET PREMISES, will aid in developing further evidence of the conspirators firearm trafficking activities, including further establishing a pattern of JORDAN, HARRIS and others unknown in their firearm trafficking activities, determining meeting locations, and identifying customers and other members of the firearm distribution conspiracy, including their residence(s) and/or stash-house(s).

BASIS FOR THE FACTS CONTAINED IN THIS AFFIDAVIT

9. Your affiant has participated in the investigation of the below-described offenses.

Based upon my personal participation in this investigation, as well as information obtained from other law enforcement officials, I am familiar with the facts and circumstances of this investigation. Your affiant makes this affidavit based, in part, on my personal knowledge and observations derived from my participation in this investigation and, in part, upon information provided to me by other law enforcement officers.

10. Because this affidavit is being submitted for the limited purpose of seeking authorization to execute a search warrant at the TARGET PREMISES, I have not set forth each and every fact learned during the course of this investigation. I am not relying upon facts not set forth herein in reaching my conclusion that an Order should be issued. Nor do I request that this Court rely upon any facts not set forth herein in reviewing this affidavit in support of the application for a search warrant.

FACTS ESTABLISHING PROBABLE CAUSE

11. On September 9, 2019, Lisa JORDAN purchased five (5) low quality firearms, having low value, using cash, from Buy Here Sell Here Federal Firearms Licensee (FFL), located at 2344 East 5th Avenue, Columbus, OH. On the same day, Lisa JORDAN also purchased seven (7) low quality firearms, having low value from Lev's Pawn Shop, FFL, located at 3446 East Main Street, Columbus, OH. According to the Pawn Broker at Lev's Pawn Shop, JORDAN told him that she needed the firearms because her family owned a gun range and they needed the firearms to rent to people when they came in to shoot. On the same day, L.E.P.D. Firearms, Range and Training Facility, (*herein after "L.E.P.D."*), contacted ATF Task Force Officer (TFO) Samuel Chappell because JORDAN came into the store to purchase multiple firearms and told them they were for an upcoming trip to the range. JORDAN purchased a one day range pass and provided an address of the TARGET PREMISES. JORDAN further inquired

about purchasing three (3) firearms and stated she could only spend \$160 on each of them. She picked out three (3) low quality firearms without much inspection of any of them. JORDAN completed the ATF 4473 form using the TARGET PREMISES. L.E.P.D. administratively delayed the transfer of the firearms due to JORDAN's behavior being suspicious.

12. On September 27, 2019, JORDAN purchased one (1) Hi Point manufactured rifle from Lev's Pawn Shop, FFL.

13. Pursuant to federal law and regulation, the FFL is required to obtain a completed ATF Form 4473 (the "Firearms Transaction Record") from the actual purchaser of a firearm before the FFL can transfer or sell a firearm to any unlicensed person. Title 18, United States Code, Section 923(g); 27 C.F.R. § 478.124. ATF Form 4473 gathers a host of information about the purchaser, including information to determine if the purchaser may lawfully possess a firearm. FFLs also may not transfer a firearm to an unlicensed person without first conducting a background check through the National Instant Check System ("NICS"), and recording the information on the ATF Form 4473. Title 18, United States Code, Section 922(t); 27 C.F.R. § 478.102. The NICS process is run by the Federal Bureau of Investigation ("FBI") and provides the mechanism through which FFLs determine whether a particular purchaser is prohibited from possessing firearms. Providing false or misleading information to an FFL in connection with the acquisition of a firearm, e.g. lying on the ATF 4473, is violation of federal law, that is Title 18, United States Code, Section 922(a)(6). Additional information required on the ATF 4473 requires the purchaser's state of residency and address. On August 21, 2019, JORDAN purchased a firearm and used the address of the TARGET PREMISES. On September 9, 2019

and September 27, 2019, JORDAN used the address of 2487 Burgandy Lane, Columbus, OH 43232.

14. On November 1, 2019, your affiant conducted an interview of Lisa JORDAN, at the TARGET PREMISES. JORDAN told investigators that she resided at the residence for approximately a couple months. She told investigators no one in her family owns a gun range, and she purchased the firearms because she wanted to be a gun collector. Your affiant knows that a typical gun collector collects guns that are of better quality, higher value and there is thought put into which guns will be bought. JORDAN told investigators that she no longer had the twelve (12) firearms that she purchased on September 9, 2019 because she had to sell them to pay October's rent.

15. On November 1, 2019, ATF Special Agent (SA) Shane Messner and ATF Task Force Officer (TFO) Brian Boesch interviewed Richard HARRIS (who JORDAN referred to as her husband). HARRIS further told investigators that the firearms were no longer in their possession and JORDAN may have possibly sold them to family in New Jersey, New York City, Delaware, and/or North Carolina. HARRIS also described his facilitation of the sale of the firearms to investigators, and said he knew a guy who wanted to purchase firearms so he "set-up" or connected that individual to JORDAN.

16. Your affiant knows Harris was placed under arrest on April 12, 2019 for Improper handling of a firearm in a motor vehicle. He was indicted on July 10, 2019, out of the Franklin County under case number 19CR3338, which caused Harris to be prohibited from purchasing a firearm.

17. On November 8, 2019, your affiant contacted Lev's Retail, LLC, FFL, and learned that JORDAN purchased one (1) low quality firearm on August 21, 2019, and HARRIS purchased one (1) low quality firearm on June 25, 2019 and two (2) low quality firearms March 2, 2019. Your affiant knows that one (1) of those firearms that HARRIS purchased was recovered during a traffic stop where HARRIS was placed under arrest on April 12, 2019.

18. On Friday, November 15, 2019, your affiant received documents from AT&T, authorized by a Federal search warrant. Your affiant learned from those records that JORDAN contacted multiple firearms retailers, to include pawn shops, as recently as October 3, 2019.

19. Your affiant knows from her training and experience that most individuals who purchase firearms retain them for extended periods of time, up to years in length. Your affiant knows that multiple firearms bought and sold a short time after being purchased are usually indications of firearms trafficking or a straw purchase. A straw purchase can be defined as the acquisition of a firearm(s) from a dealer by an individual ("the straw"), done for the purpose of concealing the identity of the true intended receiver of the firearm(s). JORDAN later told investigators she gave the firearms to HARRIS, and he facilitated the sale of the firearms.

20. ATF obtained video surveillance from Lev's Pawn Shop, FFL, that was recoded on September 9, 2019 showing JORDAN enter the store with the unknown individual. The unknown individual in the picture was later determined through a comparison photograph from the Ohio Attorney General Law Enforcement Gateway (OHLEG) to be HARRIS. Your affiant knows from training and experience that often individuals involved in firearm trafficking schemes will accompany the original purchaser of the firearms to the FFL to pick out the types of firearms to be purchased.

21. JORDAN further told investigators that the facilitation of the sale of the firearms occurred on their cellular phones. Your affiant knows from her training and experience that there will likely be evidence of other customers who JORDAN may have sold additional firearms to, as well as communications with others about the nature and purpose of JORDAN purchasing the firearms on their cellular phones.

22. Your affiant knows from her training and experience in investigating firearms trafficking and conspiracy to violate the laws of the United States that an individual who purchases firearms may store those items, documents related to the acquisition of the firearms, or other related material at any associated residence. It is likely that 3553 Rand Court, Apartment A, Columbus, OH 43227, will contain evidence that will aid in developing further evidence of the conspirators firearm trafficking activities, including further establishing a pattern of JORDAN, HARRIS, and others unknown in their firearm trafficking activities.

CONCLUSION

23. Based on the information set forth in this affidavit, I submit there is probable cause to believe that the individuals identified as Lisa JORDAN, Richard HARRIS, and others have violated Title 18, United States Code, Section 922(a)(6), making false statements in connection with the acquisition of firearms and Title 18, United States Code, Section 371, conspiracy to violate the law of the United States. Your affiant further submits there is probable cause to believe that the property and premises located at 3553 Rand Court, Apartment A, Columbus, OH 43227, contains evidence and instrumentalities of violations of federal law, including Title 18, United States Code, Section 922(a)(6), and Title 18, United States Code, Section 371; namely: evidence of a crime; contraband, fruits of a crime, or other items illegally

possessed; property and materials designed for use, intended for use, or used in committing violations of those statutes.

24. Accordingly, your affiant respectfully requests that this Court issue a warrant, authorizing the search of the property and premises located at 3553 Rand Court, Apartment A, Columbus, OH 43227, as more particularly described in Attachment A hereto, incorporated herein by reference, and authorization to search for and seize the items described in Attachment B hereto, incorporated herein by reference.

25. Your affiant further requests that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and search warrant. Your affiant believes that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation into criminal activity, the entire extent of which is not known at this time. Based upon my training and experience, and information I have received from ATF and other law enforcement agents, you affiant knows that criminals actively search for criminal affidavits and search warrants via the internet, and disseminate them to other criminals as they deem appropriate, such as post them publicly online through different forums. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

Respectfully submitted,



Takara Mayo
Special Agent

Bureau of Alcohol, Tobacco, Firearms and
Explosives (ATF)

Subscribed and sworn to before me on

January 3, 2019

Euzenach

UNITED STATES MAGISTRATE JUDGE

